

Kenneth P. Silverman, Esq.,
The Interim Chapter 7 Trustee
100 Jericho Quadrangle, Suite 300
Jericho, New York 11753
(516) 479-6300

Hearing Date: January 17, 2023
Time: 10:00 a.m.

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

NAVA Z. SHAPIRO AKA NICOLE SHAPIRO,

Debtor.

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Chapter 7
Case No: 22-11339 (PB)

**NOTICE OF HEARING ON TRUSTEE'S MOTION FOR
DISMISSAL OF CHAPTER 7 CASE UNDER 11 U.S.C. §707(a)**

PLEASE TAKE NOTICE, that Kenneth P. Silverman, Esq., as interim chapter 7 trustee (the “Trustee”) of the bankruptcy estate of Nava Z. Shapiro aka Nicole Shapiro (the “Debtor”), will move before the Honorable Philip Bentley, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York via Zoom for Government on **January 17, 2023 at 10:00 a.m.** (the “Hearing”), or as soon thereafter as counsel can be heard, for entry of an order dismissing this case under 11 U.S.C. §707(a), for the unexcused failure of the Debtor to appear for examination at the meetings of creditors held pursuant to 11 U.S.C. §341(a) scheduled for November 1, 2022 and December 6, 2022, and for such other and different relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE, that, no later than 4:00 p.m. on the business day prior to the Hearing, all parties interested in participating in the Hearing must register for the Hearing via the Court’s eCourtAppearances tool on the Court’s website at <https://www.nysb.uscourts.gov/content/judge-philip-bentley>.

PLEASE TAKE FURTHER NOTICE, that objections, if any, to the relief sought in the Motion must be in writing, must conform to the Bankruptcy Rules and the Local Rules, must set forth the name of the objecting party, the basis for the objection and the specific grounds therefore,

and must be filed electronically with the Bankruptcy Court in accordance with General Order M-399 (General Order M-399 and the User's Manual for the Electronic Case Filing System may be found at www.nysb.uscourts.gov, the official website for the Bankruptcy Court) by registered users of the Bankruptcy Court's case filing system, and by all other parties in interest on a disk, preferably in Portable Document Format (PDF), WordPerfect, or any other Windows-based word processing format (with two, single sided copies delivered directly to Chambers), and must be served upon: (i) SilvermanAcampora LLP, 100 Jericho Quadrangle, Suite 300, Jericho, New York, 11753, Attn: Justin S. Krell, Esq.; and (ii) The Office of the United States Trustee, 201 Varick Street Suite 1006, New York, New York, 10014, Attn: Mark Bruh, Esq., no later than **January 10, 2023 at 4:30 p.m.**

PLEASE TAKE FURTHER NOTICE, that the Motion has been filed with the United States Bankruptcy Court for the Southern District of New York, and is available for viewing and downloading or printing over the Internet at <https://ecf.nysb.uscourts.gov> by registered users of the PACER system, and hard copies are available by written or telephonic request to Andres Nunez, SilvermanAcampora LLP, 100 Jericho Quadrangle, Suite 300, Jericho, New York 11753, (516) 479-6300.

PLEASE TAKE FURTHER NOTICE, that the Hearing may be adjourned without further notice other than the announcement of such adjournment in open Court or by the filing of a notice of such adjournment on the docket sheet for the Debtor's case.

PLEASE TAKE FURTHER NOTICE, that you need not appear at the Hearing if you do not object to the relief requested in the Motion.

Dated: Jericho, New York
December 7, 2022

/s/ Kenneth P. Silverman
Kenneth P. Silverman, Esq.
The Interim Chapter 7 Trustee

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In re:

NAVA Z. SHAPIRO AKA NICOLE SHAPIRO,

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Case No: 22-11339 (PB)

**TRUSTEE'S MOTION FOR DISMISSAL
OF CHAPTER 7 CASE UNDER 11 U.S.C. §707(a)**

Kenneth P. Silverman, Esq., the interim chapter 7 trustee (the “Trustee”), of the estate of Nava Z. Shapiro aka Nicole Shapiro (the “Debtor”) hereby moves, upon the Trustee’s affirmation annexed hereto, for an order dismissing this case pursuant to 11 U.S.C. §707(a), for the Debtor’s unexcused failure to appear for examination at the §341(a) Meetings of Creditors scheduled for November 1, 2022 and December 6, 2022 (the “Meetings”). In the absence of the examination of the Debtor, the Trustee is unable to effectively administer this case.

1. On October 6, 2022, the Debtor commenced this case by filing a voluntary petition under chapter 7 of title 11 of the United States Code (the “Bankruptcy Code”) in this Court.

2. On October 6, 2022, Kenneth P. Silverman, Esq., was appointed as the interim chapter 7 Trustee of the Debtor’s estate and is acting in that capacity.

3. The Debtor failed to appear at the Meetings and submit to examination, as required by §343 of the Bankruptcy Code.

4. The Debtor failed to file a Schedule A/B, Schedule C, Schedule D, Schedule E/F, Schedule G, Schedule H, Schedule I, Schedule J, a Summary of Assets and Liabilities, a Statement of Financial Affairs, a Statement of Intention and Declaration of Schedules.

5. Moreover, the Debtor failed to provide payment advices for the full sixty (60) days prior to the Debtor’s bankruptcy filing and a copy of the Debtor’s Federal income tax returns for the most recent tax year ending immediately before the commencement of the case, as required

under §521 of the Bankruptcy Code.

6. The Debtor's foregoing conduct constitutes cause to dismiss this case pursuant to §707(a) of the Bankruptcy Code.

Dated: Jericho, New York
December 7, 2022

/s/ *Kenneth P. Silverman*
Kenneth P. Silverman, Esq.
The Interim Chapter 7 Trustee